

1.0 INTRODUCTION

The Montana Department of Fish, Wildlife and Parks (FWP) is evaluating the feasibility and cost of modifying the Cartersville irrigation dam to allow proper passage of fish and specifically, shovelnose sturgeon. FWP is the lead state agency responsible for the preparation of the Montana Environmental Policy Act (MEPA) Environmental Assessment, which is required prior to any state action that may affect the human or physical environment.

The Cartersville irrigation dam is located on the Yellowstone River at the town of Forsyth in Rosebud County, Montana (Figure 1-1 through 1-5). The legal description of the site is Sec 14, T67N, R 40E. The dam is owned and operated by the Cartersville Irrigation District. The Cartersville Irrigation District has water right 42KJ 177092 00 with a priority date of April 17, 1903 to divert up to 425.55 cubic feet per second (cfs) of water for irrigation purposes. The condition of the dam has deteriorated since it was constructed and has required ongoing annual maintenance in recent years. Constructed in the early 1900's, the dam is made of timber and rock-rubble riprap capped with concrete. The dam is over 800-ft in length and spans the entire channel of the Yellowstone River, and acts as a barrier to fish and boaters, particularly during periods of lower flows (Bureau of Reclamation and FWP, 1999).

Montana Fish, Wildlife & Parks is required by law to implement programs that manage sensitive fish species in a manner that assists in the maintenance or recovery of those species, and that prevents the need to list species under 87-5-107 or the federal Endangered Species Act. Section 87-1-201(9)(a), M.C.A. The impediment to fish passage created by Cartersville Dam impacts shovelnose sturgeon and other migratory fish species. Consequently, modification of the dam to improve passage falls within the legal purview of FWP. Another fish passage barrier is created by the Intake Dam, which is located downstream of the Cartersville Dam in Dawson County, Montana. This dam creates a fish barrier for pallid sturgeon (*Scaphirhynchus albus*), an endangered species that is found only downstream of the Intake Dam. The U.S. Army Corps of Engineers is currently working on a project that will provide fish passage at the Intake dam. Once that project is complete, the Cartersville Dam will be the next barrier that precludes the upstream movement of pallid sturgeon, shovelnose sturgeon, and other fish species.

This Feasibility Report was prepared under contract "Cartersville Irrigation Dam Fish Passage Alternative Analysis and Environmental Assessment Project, FWP #3885" with the Montana Department of Fish, Wildlife and Parks (FWP) dated June 26, 2009.

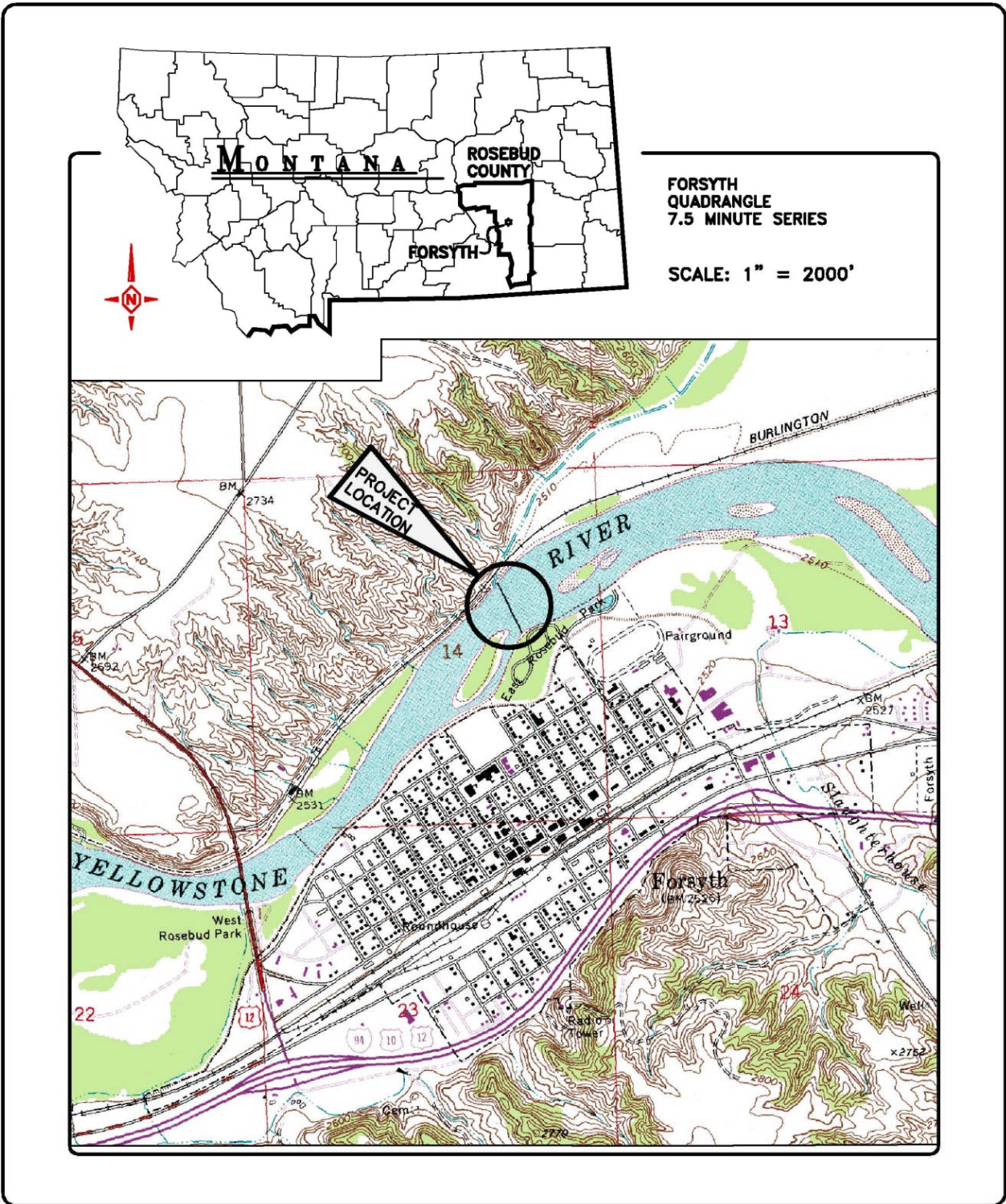


Figure 1-1 Location and Vicinity Map



Figure 1-2 Cartersville Irrigation Dam from South Bank



Figure 1-3 State Park, Boat Ramp, Fishing Access, Island Downstream of Dam



Figure 1-4 Cartersville Irrigation District Headgate, North Bank



Figure 1-5 State Park on South Bank

Permits:

Agency Name	Permits
Montana Fish, Wildlife & Parks	124 Permit (Stream Protection Act)
U.S. Army Corps of Engineers	Section 404 Permit
Montana Department of Environmental Quality	318 Authorization
Rosebud County Floodplain Coordinator and/or MT DNRC	Floodplain Permit
U.S. Army Corps of Engineers	Section 10 Permit
Montana Department of Environmental Quality	Stormwater Discharge General Permit

Funding (funding not obtained yet):

Agency Name	Funding Amount
Montana Fish, Wildlife & Parks	N/A
U.S. Army Corps of Engineers	N/A

Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name	Type of Responsibility
Montana Department of Natural Resources and Conservation	Water Rights
Montana State Historic Preservation Office	Section 106
Montana Department of Natural Resources and Conservation	Land Use License or Easement
Montana Department of Environmental Quality	401 Water Quality Certification
Natural Resources Conservation Service	Farmland Protection Policy Act
U.S. Fish Wildlife Service	Fish and Wildlife Coordination Act and Migratory Bird Treaty Act